

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :

v. : **Civil No. 23-2118**

NICHOLAS MARTINO :

**GOVERNMENT’S RESPONSE TO
DEFENDANT’S MOTION UNDER 28 U.S.C. § 2241**

On May 26, 2023, Nicholas Martino filed a motion under 28 U.S.C. § 2241, that was then transferred to this district from the District of New Jersey, as Martino was confined at the time in this district. In the motion, Martino states that he challenges BOP’s calculation of his sentence, which he avers should have resulted in his release on July 7, 2023.

Martino was in fact released from BOP custody on July 7, 2023, after he filed his motion. His motion under Section 2241 is moot and may be dismissed.

Respectfully yours,

JACQUELINE C. ROMERO
United States Attorney

/s Robert A. Zauzmer
ROBERT A. ZAUZMER
Assistant United States Attorney
Chief of Appeals

CERTIFICATE OF SERVICE

I hereby certify that a copy of this pleading has been served by first-class mail,
postage prepaid, upon:

Mr. Nicholas Martino
106 Horttville-Grenloch Road
Sewell, NJ 08080

/s Robert A. Zauzmer
ROBERT A. ZAUZMER
Assistant United States Attorney

Dated: September 14, 2023.